Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Falcon Cable Systems Company II LP	)	File No. EB-11-SF-0120
Community Unit ID: CA1118	)	
Aromas, CA	)	NOV No. V201132960016
	)	

NOTICE OF VIOLATION

Released: September 29, 2011

By the District Director, San Francisco Office, Western Region, Enforcement Bureau:

1.   This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,[1] to Falcon Cable Systems Company II LP ("Falcon"), operator of a cable system in Aromas, California.

2.   On July 26, 2011, in response to a complaint that a signal was interfering with the California Department of Forestry and Fire Protection (CALFIRE) land mobile units and fire station operating on 151.2500 MHz in Aromas, California, an agent from the Enforcement Bureau's San Francisco Office located the interfering signal on 151.2500 MHz to sporadic cable signal leakage from Falcon's cable system in the area between the 400 and 600 blocks of Carpenteria Road in Aromas, California. During the course of the investigation, the agent inspected Falcon's cable system located in Aromas, California and observed the following violations:

   a.   47 C.F.R. § 76.613: "(a) Harmful interference is any emission, radiation or induction which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with this chapter. (b) [A multi-channel video programming distributor] that causes harmful interference shall promptly take appropriate measures to eliminate the harmful interference." At the time of inspection, the agent observed signal leakage in close proximity to CALFIRE's fire station on Carpenteria Road, which was capable of causing harmful interference to the reception of fire communications on 151.2500 MHz.

   b.   47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in 76.609(h) and

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[1] 47 C.F.R. § 1.89.

shall be limited as follows: Over 54 MHz up to and including 216 MHz - 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent measured signal leakage in excess of 20 µV/m on the frequency of 133.2625 MHz at:

1) 512 Carpenteria Rd (corner Rea Ave.)   235 µV/m

3.   Pursuant to Section 403 of the Communications Act of 1934, as amended,[2] and Section 1.89 of the Commission's Rules, Falcon must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Falcon. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

> Federal Communications Commission
> San Francisco Office
> 5653 Stoneridge Drive, Suite 105
> Pleasanton, CA 94588-8543

4.   This Notice shall be sent to Falcon at its address of record.

5.   The Privacy Act of 1974[3] requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.[4]

                                                  FEDERAL COMMUNICATIONS COMMISSION

                                                  Thomas N. Van Stavern
                                                  District Director
                                                  San Francisco District Office
                                                  Western Region
                                                  Enforcement Bureau

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[2] 47 U.S.C. § 403.

[3] P.L. 93-579, 5 U.S.C. § 552a(e)(3).

[4] 18 U.S.C. § 1001 *et seq.*